



Ninety-Ninth Legislature - First Session - 2005  
**Introducer's Statement of Intent**  
**LB 132**

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**Chairperson:** Bob Kremer  
**Committee:** Agriculture  
**Date of Hearing:** February 1, 2005

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Currently, there are two exemptions in the Nebraska Pasteurized Milk Law to the requirement that only Grade A pasteurized milk and milk products shall be sold to the final consumer or to restaurants, soda fountains, grocery stores or similar establishments. The first exemption is in the case of an emergency. The second exemption is for milk and milk products produced by farmers exclusively for sale at the farm directly to customers for consumption and not for resale. Under LB 132, these exemptions would remain in statute.

LB 132 would add another exemption to the pasteurized milk requirement. If a producer is issued a permit pursuant to the Nebraska Pasteurized Milk Law, in addition to offering raw milk not intended for pasteurization for sale directly to customers and not for resale, they may also advertise the sale of raw milk and deliver such milk directly to the consumer – if they meet the standards for Grade A milk and milk products found in Section 7 of the Grade A Pasteurized Milk Ordinance. Additionally, such milk shall be tested by the Department of Agriculture in conformity with Section 6 of the Grade A Pasteurized Milk Ordinance. The producer is required to keep records of all sales for one year and to keep the milk not intended for pasteurization separate from milk and milk products for pasteurization. The raw milk must carry a warning label, a label identifying the product and the producer and a recommendation (and directions) for pasteurizing the milk. Only health claims that are approved by the U.S. Food and Drug Administration could be used in the advertisement of the raw milk.

LB 132 also allows a milk plant that sells milk only within the State of Nebraska to request a waiver from the mechanical filling and capping requirements under the Nebraska Pasteurized Milk Law.

**Principal Introducer:**

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**Senator Douglas Cunningham**